



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

CRH/JMH/EHS  
F. #2017R00906

*271 Cadman Plaza East  
Brooklyn, New York 11201*

August 5, 2021

By Email and USAFx

Kevin K. Tung  
c/o Kevin Kerveng Tung PC  
136-20 38th Avenue, Suite 3D  
Flushing, New York 11354

Re: United States v. Yong Zhu  
Criminal Docket No. 21-265 (PKC)

Dear Counsel:

Enclosed please find additional discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure, supplementing our productions dated May 25 and July 12, 2021. The government also requests reciprocal discovery from the defendant. Pursuant to Rule 16.1 of the Federal Rules of Criminal Procedure, the government remains available to confer further about pretrial discovery at a mutually convenient time.

The materials provided with today's production are being provided subject to the protective order agreed to by the parties and entered by the Court on June 18, 2021. See ECF No. 70 ("the Protective Order").

Today's production will be delivered via the USAFx platform. We recommend that you download a copy of the production for your archives as soon as practicable. Please do not hesitate to contact us if you have any difficulty accessing or downloading the production.

Statements of the defendant are enclosed, along with related documentation, bearing Bates numbers YZ-000565 through YZ-000601.

Today's production includes the contents of Apple iCloud accounts associated with the defendant, contained within a folder bearing Bates number YZ-000602. These materials were obtained from Apple pursuant to a search warrant, the documentation of which has been previously provided to you. See YZ-000379 through YZ-000459. A forensic report relating to this iCloud material is also enclosed, bearing Bates numbers YZ-000603 through YZ-000606.

Selected items drawn from iCloud accounts associated with the defendant are also enclosed, bearing Bates numbers YZ-000607 through YZ-000615.

Travel and visa records obtained from Customs and Border Protection (“CBP”), and associated with co-defendants Hu Ji, Li Minjun, Tu Lan, and Zhu Feng, as well as other co-conspirators, are enclosed, bearing Bates numbers YZ-000616 through YZ-000732. These items have been designated as “sensitive discovery material” as that term is defined in the Protective Order.

Records obtained from Embassy Suites (Elizabeth, New Jersey) and the Edison Hotel (New York, New York), associated with lodging obtained by various co-defendants, are enclosed bearing Bates numbers YZ-000733 through YZ-000741.

Records obtained from GoDaddy.com in connection with an electronic account associated with defendant Michael McMahon are enclosed, bearing Bates numbers YZ-000742 through YZ-000857.

Correspondence from the New Jersey Motor Vehicle Commission is enclosed, bearing Bates numbers YZ-000858 through YZ-000859.

The folder bearing Bates number YZ-000860 contains records obtained from Oath, Inc., associated with an AOL electronic account associated with defendant Michael McMahon.

Records obtained and correspondence received from TDBank in connection with financial accounts associated with defendant Michael McMahon, bearing Bates numbers YZ-000861 through YZ-001700. These items have been designated as “sensitive discovery material” as that term is defined in the Protective Order.

Records obtained from Thumbtack, Inc., an Internet services provider, are enclosed, bearing Bates numbers YZ-001701 through YZ-001729; these records are associated with an account belonging to defendant Michael McMahon at Thumbtack.

Records obtained from United Airlines, Inc., in connection with travel by various defendants and other relevant individuals are enclosed, bearing Bates numbers YZ-001730 through YZ-001892. Please note that these records have been designated as “sensitive discovery material” as that term is defined in the Protective Order.

A forensic report relating to certain video material described in the superseding indictment (ECF No. 76, see ¶¶ 50-54) is enclosed, along with the underlying contents, all contained within the folder bearing Bates number YZ-001893. A narrative report summarizing this material is also enclosed, bearing Bates number YZ-001894 through YZ-001896. Please note that these materials have been designated as “sensitive discovery material” as that term is defined in the Protective Order.

Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of the Office cannot and does not constitute a “formal offer” or a “plea offer,” as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

JACQUELYN M. KASULIS  
Acting United States Attorney

By: /s/ J. Matthew Haggans  
Craig R. Heeren  
J. Matthew Haggans  
Ellen H. Sise  
Assistant U.S. Attorneys  
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Enclosures (via USAFx)

cc: Clerk of the Court (PKC) (by ECF) (without enclosures)